

Rec'd 12/27/07  
JMS

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

TIARA CONDOMINIUM ASSOCIATION,  
INC., a Florida non-profit corporation, in its  
own name and as agent for all owners of record  
of all individual condominium parcels within  
the Tiara Condominium,

Case No. 07 -cv-9392

Plaintiff,

Hon. Harold A. Baer, Jr.

-against-

MARSH & MCLENNAN COMPANIES,  
INC., a Delaware corporation, MARSH, INC.,  
and MARSH USA, INC.,

Defendants.

**MOTION TO ADMIT MARK L. MCALPINE**  
**AS COUNSEL PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United State District Courts for  
the Southern and Eastern Districts of New York, I, William E. Brueckner, a member in good  
standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice  
of:

Applicant's Name: Mark. L. McAlpine  
Firm Name: McAlpine & Associates, P.C.  
Address: 3201 University Drive, Suite 100  
City/State/Zip: Auburn Hills, Michigan 48326-2361  
Phone Number: (248) 373-3700  
Fax Number: (248) 373-3708

251689-516 D4  
JAN 07 2008

FILED  
U.S. DISTRICT COURT  
2008 JAN -7 PM 1:18  
SOUTHERN DISTRICT OF NEW YORK

MARK L. MCALPINE is a member in good standing of the Bar of the State of Michigan. There are no pending disciplinary proceedings against MARK L. MCALPINE in any State or Federal court.

Dated: December 28, 2007  
Rochester, New York

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Brueckner', is written over a horizontal line.

William E. Brueckner  
SDNY Bar Code: WB 6646  
ERNSTROM & DRESTE, LLP  
317 Madison Avenue  
Suite 703  
New York, New York 10017  
Telephone: (212) 687-0303  
Facsimile: (212) 687-1597

**UNITED STATES DISTRICT COURT**  
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TIARA CONDOMINIUM ASSOCIATION,  
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Plaintiff,

Hon. Harold A. Baer, Jr.

-against-

MARSH & MCLENNAN COMPANIES,  
INC., a Delaware corporation, MARSH, INC.,  
and MARSH USA, INC.,

**AFFIDAVIT OF WILLIAM E.  
BRUECKNER IN SUPPORT OF MOTION  
TO ADMIT MARK L. MCALPINE AS  
COUNSEL PRO HAC VICE**

Defendants.

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STATE OF NEW YORK     )  
                                      ) ss.  
COUNTY OF MONROE     )

William E. Brueckner, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Ernstrom & Drete, LLP, local counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Mark L. McAlpine as counsel *pro hac vice* to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on January 23, 1990. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. McAlpine is the principal at the law firm of McAlpine & Associates, P.C.

4. Mr. McAlpine is a skilled attorney and person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to move the admission of Mark L. McAlpine, *pro hac vice*.

6. I respectfully submit a proposed order granting the admission of Mark L. McAlpine, *pro hac vice*, which is attached hereto as Exhibit A.

**WHEREFORE** it is respectfully requested that the motion to admit Mark L. McAlpine, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

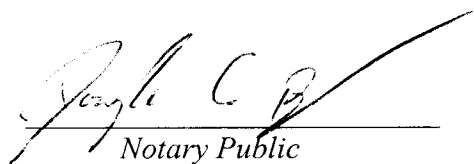
Dated: December 28, 2007

Respectfully submitted,



William E. Brueckner  
SDNY Bar Code: WB 6646  
ERNSTROM & DRESTE, LLP  
317 Madison Avenue  
Suite 703  
New York, New York 10017  
Telephone: (212) 687-0303  
Facsimile: (212) 687-1597

Sworn to before me this 28  
day of December, 2007

  
Notary Public

DOUGLAS A. BASS  
Notary Public, State Of New York  
No. 02BA6055636  
Qualified In Monroe County  
Commission Expires Feb. 26, 20 11

# State Bar of Michigan

## Certificate of Good Standing

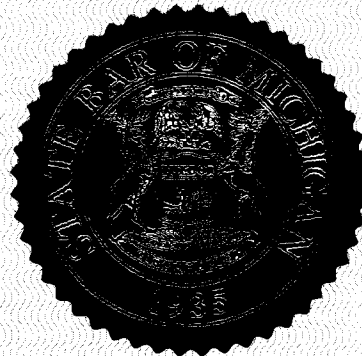


This certifies that Mark L. McAlpine, P35583 of Auburn Hills, Michigan is an active member of the State Bar of Michigan in good standing.

He was admitted to practice in Michigan on November 16, 1983 in Macomb County and became a member of the State Bar of Michigan on November 16, 1983.

A stylized, handwritten signature in dark ink, appearing to read "Janet K. Welch".

Janet K. Welch  
Executive Director  
December 03, 2007

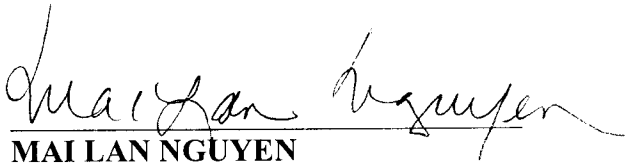


**CERTIFICATE OF SERVICE**

**IT IS HEREBY CERTIFIED** that on this 28<sup>th</sup> day of December, 2007 the undersigned served the within **NOTICE OF MOTION TO ADMIT MARK L. MCALPINE *PRO HAC VICE*, AFFIDAVIT OF WILLIAM BRUECKNER IN SUPPORT OF MOTION TO ADMIT MARK L. MCALPINE *PRO HAC VICE* AND PORPOSED ORDER OF ADMISSION *PRO HAC VICE*** upon the person(s) named below, by depositing a copy thereof in a depository under the exclusive custody and control of the U.S. Postal Service, in a postage paid wrapper addressed to them as follows:

Mitchell J. Auslander, Esq.  
WILLKIE FARR & GALLAGHER LLP  
787 Seventh Avenue  
New York, NY 10019

Gregory Conway, Esq.  
WILLKIE FARR & GALLAGHER LLP  
787 Seventh Avenue  
New York, NY 10019

  
**MAI LAN NGUYEN**

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

TIARA CONDOMINIUM ASSOCIATION,  
INC., a Florida non-profit corporation, in its  
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Case No. 07 -cv-9392

Plaintiff,

Hon. Harold A. Baer, Jr.

-against-

**ORDER TO ADMIT MARK L.  
MCALPINE AS COUNSEL PRO HAC  
VICE ON WRITTEN MOTION**

MARSH & MCLENNAN COMPANIES,  
INC., a Delaware corporation, MARSH, INC.,  
and MARSH USA, INC.,

Defendants.

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Upon the motion of Willam E. Brueckner attorney for Tiara Condominium Association,  
Inc. and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: Mark. L. McAlpine  
Firm Name: McAlpine & Associates, P.C.  
Address: 3201 University Drive, Suite 100  
City/State/Zip: Auburn Hills, Michigan 48326-2361  
Phone Number: (248) 373-3700  
Fax Number: (248) 373-3708

is admitted to practice *pro hac vice* as counsel for Tiara Condominium Association in the above  
captioned case in the United States District Court for the Southern District of New York. All  
attorneys appearing before this Court are subject to the Local Rules of this Court, including the  
Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing

(ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov).

Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States District/Magistrate Judge